IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Original Jurisdiction

Dated: Nainital: the 22nd day of December, 2006
II Crl. Bail Application No. 1161 of 2006

Order on the Bail Application:
CRIMINAL SIDE

Balraj S/o late Juglal
R/o Q-81, Shivalik Nagar,
Ranipur, B.H.E.L.,
District Haridwar

…… Applicant

Versus

State of Uttaranchal …… Opposite Party

Arising out of Crime No. 443 of 2006
Under Sections: 18/20 of the N.D.P.S. Act.
Police Station: Jwalapur
District: Haridwar.

Hon'ble Prafulla C. Pant, J.

Heard Mr. R.P. Nautiyal, learned counsel for the applicant and Mr. Sudhir Chaudhary, learned A.G.A. for the State.

Applicant Balraj, who is in jail in connection with crime No. 443 of 2006, relating to offences punishable under Section 18/20 of the Narcotic Drugs and Psychotropic Substances Act, 1985., P.S. Jwalapur, District Haridwar, has sought his release on bail.

The first bail application of the applicant was withdrawn by him, and as such, dismissed on 30.10.2006. The said application was not decided on merits. In the circumstances, it is second bail application which is argued on merits, for the first time.

A copy of the first information report discloses that the applicant was said to have been found in possession of 500 gms. of charas, which is less than the commercial quantity, prescribed under the Act.

Learned A.G.A. points out that there is criminal history of the applicant. However, it appears that from one incident, several cases are shown to have been registered separately.

In the circumstances, without expressing any opinion as to the final merits of the case, it is directed that the applicant Balraj be released on bail on his executing a personal bond and furnishing two sureties each of the like amount to the satisfaction of the court concerned.

(Prafulla C. Pant, J.)

Dt. 22.12.2006
H.Negi